

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority adopted and filed in the Suffolk County Registry of Deeds, Book 8072, page 276, an Order of Taking dated September 15, 1966, concerning and describing the SOUTH COVE URBAN RENEWAL AREA, all of the findings, determinations set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws.

NOW THEREFORE BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every power and authority to it, granted or implied hereby takes for itself in fee simple and certain temporary easements for demolition by eminent domain for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken

hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways and public ways in said areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The Awards hereby made are set forth in ANNEX B which ANNEX B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the Office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: MAY 15 1975

BOSTON REDEVELOPMENT AUTHORITY

By:

Robert L. Fane

James H. Colbert

Paul J. Burns

James K. Flaherty

ATTEST:

Karee L. Minian

Secretary of the Boston Redevelopment Authority

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following portions of the designated parcels are the only properties to be taken:

	<u>BRA Block/ Parcel</u>	<u>Address</u>	<u>Assessor's Parcel</u>	<u>Supposed Owner</u>
of	6-2	239 Tremont St.	58	Frank and William Sawyer

the following:

Taking in fee simple the following described portion of Parcel 2, shown on the aforesaid plan as "Parcel 2 Taking" bounded and described as follows:

Beginning at a point of tangency on the sideline of Tremont Street and running N 11° - 49' - 28" E, by the westerly sideline of Tremont Street, a distance of thirty-two and four hundredths feet (32.04') to a point;

thence, turning to the left and running N 82° - 22' - 20" W, along the property of the Boston Redevelopment Authority, a distance of twenty-four and twenty-five hundredths feet (24.25') to a point;

thence, turning to the right and running N 11° - 11' - 57" E, along the property of the Boston Redevelopment Authority, a distance of ten and nineteen hundredths feet (10.19') to a point along the sideline of Stuart Street;

thence, turning to the left and running N 82° - 48' - 57" W, along the southerly sideline of Stuart Street, a distance of forty-two and nine hundredths feet (42.09') to a point of tangency;

thence, continuing along the southerly sideline of Stuart Street, a distance of three and forty-one hundredths feet (3.41') to a point on a curve of two hundred forty feet radius;

thence, turning to the left and running S 7° - 31' - 54" W, along the property of the Boston Redevelopment Authority, a distance of twenty-four and ninety-eight hundredths feet (24.98') to a point;

thence, turning to the left and running S 82° - 48' - 57" E, along the property of Frank and William Sawyer, a distance of fifty and sixty-five hundredths feet (50.65') to a point of curvature along the proposed sideline of Stuart Street;

thence, continuing along the property of Frank and William Sawyer on a radius of sixteen feet (16.00'), a distance of twenty-six and forty-three hundredths feet (26.43') to the point and place of beginning.

Said parcel located in Boston Proper, Suffolk County, Massachusetts, and containing 1541 square feet more or less, all as shown on Taking Plan, Stuart St. of the South Cove Urban Renewal Area, Project No. Mass. R-92, prepared by Chas. T. Main, Inc., dated April 24, 1975, a copy of which is recorded herewith.

A temporary easement for demolition for the purpose of removing or demolishing structures or portions thereof now located on Parcel 2 as shown on a plan entitled, "Taking Plan Stuart Street, South Cove Urban Renewal Area, Project No. Mass. R-92," prepared by Chas. T. Main, Inc., dated April 24, 1975. Said easement is temporary in nature and is to be in effect only until such time as the aforesaid purpose for which it was taken has been accomplished, but in no event shall said easement remain in effect for more than one (1) year from the date of this instrument.

Said taking of temporary easement for demolition is more fully described as that portion of Parcel 2 shown on the aforesaid plan as "Parcel 2 Temporary Easement For Demolition - Area = 2,283 S.F." bounded and described as follows:

Beginning at a point of tangency on the westerly sideline of Tremont Street and continuing along the property of the Boston Redevelopment Authority on a radius of sixteen feet (16.00'), a distance of twenty-six and forty-three hundredths feet (26.43') to a point of tangency;

thence, turning to the left and running N 82° - 48' - 57" W, along the property of the Boston Redevelopment Authority, a distance of fifty and sixty-five hundredths feet (50.65') to a point;

thence, turning to the left and running S 7° - 31' - 54" W, along the property of Frank and William Sawyer, a distance of thirty-four and eighty-one hundredths feet (34.81') to a point;

thence, turning to the left and running S 82° - 00' - 42" E, along the property of the Terminal Taxi Company, a distance of sixty-five and thirty-two hundredths feet (65.32') to a point;

thence, turning to the left and running N 11° - 49' - 28" E, along the westerly side line of Tremont Street, a distance of eighteen and forty-nine hundredths feet (18.49') to a point and place of beginning.

Said Temporary Easement for Demolition of Parcel 2 located in Boston Proper, Suffolk County, Massachusetts and containing 2,283 square feet more or less, all as shown on Taking Plan, Stuart Street

of the South Cove Urban Renewal Area, Project No. Mass. R-92, prepared by Chas. T. Main, Inc., dated April 24, 1975.

	<u>BRA Block/ Parcel</u>	<u>Address</u>	<u>Supposed Owner</u>
of	6-3	118-148 Stuart St.	Terminal Taxi Co.

the following:

Taking in fee simple the following described portion of Parcel 3, shown on the aforesaid plan as "Parcel 3 Taking" bounded and described as follows:

Starting at the intersection of the easterly sideline of Warrenton Street and the southerly sideline of Stuart Street and running N 75° - 04' - 24" E, by the southerly sideline of Stuart Street, a distance of eleven and twenty-one hundredths feet (11.21') to the point of beginning of Parcel 3;

thence running along the southerly sideline of Stuart Street N 75° - 04' - 24" E, a distance of seventy-eight and eighteen hundredths feet (78.18') to a point of curvature;

thence, continuing along the southerly sideline of Stuart Street, a distance of eighty-nine and twenty-one hundredths feet (89.21') to a point on a curve of two hundred forty feet radius;

thence, turning to the right and running S 7° - 31' - 54" W, along the property of the Boston Redevelopment Authority, a distance of twenty-four and ninety-eight hundredths feet (24.98') to a point;

thence, turning to the right and running N 82° - 42' - 57" W, by the property of the Terminal Taxi Company, a distance of forty-six and twenty-seven hundredths feet (46.27') to a point of tangency;

thence, continuing along the property of the Terminal Taxi Company on a radius of three hundred feet (300.00'), a distance of one hundred fifteen and seventy-seven hundredths feet (115.77') to the point of tangency and point of beginning.

Said parcel located in Boston Proper, Suffolk County, Massachusetts, and containing 1934 square feet more or less, of which 173 $\frac{1}{2}$ sq. ft. is registered land, all as shown on Taking Plan, Stuart Street of the South Cove Urban Renewal Area, Project No. Mass. R-92, prepared by Chas. T. Main, Inc., dated April 24, 1975.

A portion of the above "Parcel 3 Taking" is registered land, being a part of the land described in Certificate of Title No. 59932 issued by the Suffolk Registry District of the Land Court bounded and described as follows:

Starting at the intersection of the easterly sideline of Warrenton Street and the southerly sideline of Stuart Street and running N 75° - 04' - 24" E, by the southerly sideline of Stuart Street, a distance of eleven and

twenty-one hundredths feet (11.21') to the point of beginning of a Portion of Land Court No. 19951A;

thence, continuing along the southerly sideline of Stuart Street N $75^{\circ} - 04' - 24''$ E, a distance of sixty-eight and thirty-two hundredths feet (68.32') to a point;

thence, turning to the right and running S $3^{\circ} - 54' - 42''$ E, along the property of the Boston Redevelopment Authority, a distance of seven and sixty-eight hundredths feet (7.68') to a point on a curve of three hundred feet radius;

thence, continuing along the property of the Terminal Taxi Company on a radius of three hundred feet (300.00'), a distance of sixty-seven and forty-one hundredths feet (67.41') to the point of tangency and the point of beginning.

Said Portion of Land Court No. 19951A located in Boston Proper, Suffolk County, Massachusetts and containing 173 square feet more or less, all as shown on the Taking Plan, Stuart Street of the South Cove Urban Renewal Area, Project Mass. R-92, prepared by Chas. T. Main, Inc., dated April 24, 1975

A temporary easement for demolition for the purpose of removing or demolishing structures or portions thereof now located in Parcels 2 and 3 as shown on a plan entitled, "Taking Plan Stuart Street, South Cove Urban Renewal Area, Project No. Mass. R-92," prepared by Chas. T. Main, Inc., dated April 24, 1975. Said easement is temporary in nature and is to be in effect only until such time as the aforesaid purpose for which it was taken has been accomplished, but in no event shall said easement remain in effect for more than one year from the date of this instrument.

Said taking of temporary easement for demolition is more fully described as that portion of Parcel 3 shown on the aforesaid plan as "Temporary Easement for Demolition - Area = 865 S. F.," bounded and described as follows:

Starting at a point of tangency on the westerly sideline of Tremont Street and turning to the left along the property of the Boston Redevelopment Authority on a radius of sixteen feet, a distance of twenty-six and forty-three hundredths feet (26.43') to a point of tangency;

thence, continuing N $82^{\circ} - 48' - 57''$ W, along the property of the Boston Redevelopment Authority, a distance of fifty and sixty-five hundredths feet (50.65') to the point of beginning of the Temporary Easement for Demolition of Parcel 3;

thence, continuing N 82° - 48' - 57" W, along the property of the Boston Redevelopment Authority, a distance of twenty-five feet (25.00') to a point;

thence, turning to the left and running S 7° - 31' - 54" W, along the property of the Terminal Taxi Company, a distance of thirty-four and forty-two hundredths feet (34.42') to a point;

thence, turning to the left and running S 82° - 00' - 42" E, along the property of Frank and William Sawyer, a distance of twenty-five feet (25.00') to a point;

thence, turning to the left and running N 7° - 31' - 54" E, along the property of Frank and William Sawyer, a distance of thirty-four and eighty-one hundredths feet (34.81') to the point of beginning of the Temporary Easement for Demolition of Parcel 3.

Said Temporary Easement for Demolition of Parcel 3 located in Boston Proper, Suffolk County, Massachusetts and containing 865 square feet more or less, all as shown on Taking Plan, Stuart Street of the South Cove Urban Renewal Area, Project No. Mass. R-92, prepared by Chas. T. Main, Inc., dated April 24, 1975.

The above parcels hereby taken are located in Ward 5 in the City of Boston.

The names of the owners herein listed as the Supposed Owners, although supposed to be correct, are such only as a matter of information, opinion and belief and are listed for informational purposes only.

REGISTERED LAND PARCEL WITHIN TAKEN AREA

There is included within the above parcels a portion of registered land being a part of the land described in Certificate of Title No. 59932, issued by the Suffolk Registry District of the Land Court, standing in the name of Terminal Taxi Company, bounded and described as follows:

Starting at the intersection of the easterly sideline of Warrenton Street and the southerly sideline of Stuart Street and running N 75° - 04' - 24" E, by the southerly sideline of Stuart Street, a distance of eleven and twenty-one hundredths feet (11.21') to the point of beginning of a Portion of Land Court No. 19951A;

thence, continuing along the southerly sideline of Stuart Street N 75° - 04' - 24" E, a distance of sixty-eight and thirty-two hundredths feet (68.32') to a point;

thence, turning to the right and running S 3° - 54' - 42" E, along the property of the Boston Redevelopment Authority, a distance of seven and sixty-eight hundredths feet (7.68') to a point on a curve of three hundred feet radius;

thence, continuing along the property of the Terminal Taxi Company on a radius of three hundred feet (300.00'), a distance of sixty-seven and forty-one hundredths feet (67.41') to the point of tangency and the point of beginning.

Said Portion of Land Court No. 19951A located in Boston Proper, Suffolk County, Massachusetts and containing 173 square feet more or less, all as shown on the Taking Plan, Stuart Street of the South Cove Urban Renewal Area, Project No. Mass. R-92, prepared by Chas. T. Main, Inc., dated April 24, 1975.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

Awards for the following parcels are:

<u>BRA Block/ Parcel</u>	<u>Address</u>	<u>Damage Award</u>
6-2	239 Tremont St.	\$ 38,600.00
6-3	118-148 Stuart St.	49,000.00